

AO 120 (Rev. 2/99)

TO: **Mail Stop 8**
Director of the U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REPORT ON THE
FILING OR DETERMINATION OF AN
ACTION REGARDING A PATENT OR
TRADEMARK

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 09-03831 MEJ	DATE FILED 8/20/09	U.S. DISTRICT COURT Northern District of California, San Francisco Division
PLAINTIFF NEUROSKY, INC.		DEFENDANT NEUROTEK, LLC, ET AL
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,983,129		
2		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1					
2					
3					
4					
5					

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
11-30-09 VOLUNTARY DISMISSAL

CLERK Richard W. Wiekling	(BY) DEPUTY CLERK Gloria Acevedo	DATE August 25, 2009
------------------------------	-------------------------------------	-------------------------

Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

1 G. HOPKINS GUY, III (SBN 124811)
hopguy@orrick.com
2 MATTHEW J. HULT (SBN 197137)
matthult@orrick.com
3 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
4 Menlo Park, CA 94030
Telephone: 650-614-7400
5 Facsimile: 650-614-7401

6 Attorneys for Plaintiff
NeuroSky, Inc.

ENTERED IN CIVIL DOCKET 11-30-09

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 NEUROSKY, INC.,

12 Plaintiff,

13 v.

14 NEUROTEK, LLC, MINDWAVES, LTD.
and JONATHAN D. COWAN,

15 Defendants.
16
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 3:09-CV-03831 (MEJ)

NOTICE OF VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff NeuroSky, Inc. ("NeuroSky") voluntarily dismisses the declaratory judgment action it filed against Defendants NeuroTek, LLC, MindWaves, Ltd. and Jonathan D. Cowan (collectively "Defendants"), seeking declaratory judgments of non-infringement and invalidity regarding United States Patent Number 5,983,129.

Dated: November 20, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

Matthew J. Hult

G. HOPKINS GUY, III
MATTHEW J. HULT
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94030
Telephone: 650-614-7400
Facsimile: 650-614-7401

Attorneys for Plaintiff
NeuroSky, Inc.

